

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24309 of 2018

Arising Out of PS.Case No. -574 Year- 2017 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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1. Baidya Nath Rajak S/o Late Damodar Baitha, R/o Hathsarganj, P.S.-
Town (Hajipur), District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Soni Shrivastava

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-05-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with town (Hajipur) P.Case No.574 of 2017, registered for offences punishable under Sections 188 and 420 of the Indian Penal Code.

Allegation against the petitioner as per FIR is that a D.A. case was instituted against the petitioner as 20 old notes in Rs.500/- denomination and 2 old notes in Rs.1000/- denomination were found in his house.

Submission of the learned counsel for the petitioner is that no case is made out under Section 188 and 420 of the IPC and at best it is a case under Specified Bank Notes (Cessation of Liabilities) Act, 2017.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali (Hajipur) in connection with Town (Hajipur) P.S.Case no.574 of 2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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